

REMARKS

This Amendment is responsive to the office action dated October 7, 2008. Claims 28-41 are currently pending and claims 28 and 34 are amended. Applicant respectfully requests reconsideration of the rejected claims based on the distinctions demonstrated below.

§ 102 Rejection

Claims 28-31, 33-37 and 39-41 stand rejected under 35 U.S.C. §102(e) as being anticipated by Donatelli et al., U.S. Patent No. 7,085,822. Applicant respectfully traverses this rejection.

Donatelli does not disclose each and every element of the claims. In general, Dontaelli discloses a system for managing pervasive devices in a four tier management system. This management system is used to efficiently push enterprise applications with an existing enterprise framework. See col. 2, lines 22-47. Donatelli describes a management server:

The management server 10' employs a device storage manager 32 which contains the information about the device types and instances of devices being managed. For example, a device type of "Handheld Device" contains many instances of this type of device. This allows any management server applications and users to add devices, edit devices, delete devices, and query for devices. Each such device in the system is identified by 5 pieces of information:

1. Device Type
2. ID-a unique identifier assigned by the system to each device
3. Label-a friendly name for a device, specified at creation time. A Type plus a Label should uniquely define a device.
4. Manager-the identity of an endpoint which is to act as a management gateway for this device.
5. Local Address-the local address of a device in the context of its management gateway

Manager is the gateway object reference through which to route management operations (using method calls) toward a given device, thus the server-gateway ORB 18', 18" need only handle the same number of object references as within a three tier management system. It should therefore be seen that, even though the number and level of devices being managed within the system of the preferred embodiment is magnified, the use of a single ORB object not only to address the endpoint with which it was traditionally associated, but to manage essentially a hierarchy including an endpoint and a plurality of devices, prevents the endpoint addressing mechanism from collapsing from the sheer number of devices being controlled. (Donatelli Col 3 lines 13 – 43)

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In the preferred embodiment, the device storage manager 32 encapsulates how the device data is stored and managed. Thus, the device storage manager and other applications such as the programs 20', 22' and 24' only need to agree on a data exchange protocol so that messages can be exchanged. Using this mechanism, the management server 10' is able to support arbitrary Storage Manager implementations (e.g. disk files, LDAP servers, RDBMS) Furthermore, the management server 10' provides a device grouping mechanism which is a managed resource capable of managing groups of devices. A device group can be a subscriber to a conventional Profile Manager. This enables devices to be managed via management by subscription paradigm. The device group also implements policy and security for devices. Device groups can thus be made managed resources of Policy Regions, and so it is possible to create custom policies for device group instances and to enforce security models for devices through the Policy Region mechanism. By granting access to device groups on a per Policy Region basis, administrators may be selectively granted access to create device groups, manage subscriptions to device groups, and to manipulate device groups distributions. This depends on roles each administrator holds in each Policy Region and is normal policy and security. (Col. 3, line 50-col. 4, line 7).

Applicant respectfully submits that the management server as described by Donatelli is not analogous to the content server as claimed in the present invention. In fact, the concept of a content sever as claimed does not exist within the framework of Donatelli's disclosure. For example, a content server may be remotely located (i.e., not within a four tier management structure) and maintains a specific web site. (See specification, p. 23-25).

Furthermore, Donatelli does not teach "at a time when said electronic device is not coupled to said host device, actuating said conduits for comparing versions of applications stored by said host device with current versions of corresponding applications residing on said plurality of content servers to determine whether newer versions of such applications reside on said plurality of content servers." Donatelli is silent on a comparison of versions of applications because the management server pushes whatever it is told to push to every device in a particular managed group.

Donatelli is also silent on "conduits communicating user identification information regarding the electronic device to the content server." Notwithstanding that conduits in Donatelli do not communicate with a content server as disclosed, Donatelli teaches away from the identification as claimed. Donatelli dicsloses two methods for the Management Server to receive identification, "a device is either directly identified by a management server user, or the user can

request specific endpoints or groups of endpoints to return the identities of devices that a) they manage; or b) connect to the endpoint, even if they are not currently managed.” (Col. 5, lines 15 – 20). In the present invention as claimed, the identification information is sent from the host device to the content server by the conduits at the time of requesting by the host device for new versions of applications.

Also, Donatelli is silent on “wherein the newer versions of the applications are personalized for the electronic device based on the user identification information.” Donatelli does not personalize an application downloaded by the host device as claimed. Donatelli teaches a substantially different concept where identification information is used to place files from the management server into the proper directories so that the files may be installed on the correct portable device of the plurality of devices that interface with the given endpoint. For example:

An endpoint program in turn locates the appropriate Install sub-directory name for the device label supplied (again using the Users.dat information accessed via the Palm desktop API) and places the files in the sub-directory. When synchronisation next takes place with the device, the install conduit copies these files from the device's Install sub-directory on the endpoint to the device. (Donatelli Col 5 lines 54 – 61).

As such, Donatelli does not teach each and every element of the present claims. Accordingly, Applicant respectfully requests withdrawal of this rejection.

§ 103 Rejection

Claims 32 and 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Donatelli in view of Varadharajan et al., U.S. Patent No. 5,887,063. Applicant respectfully traverses this rejection.

As stated above, Donatelli does not teach each and every element of the claims. Varadharajan does not cure Donatelli's deficiencies. Accordingly, Applicant respectfully requests withdrawal of this rejection.

Conclusion

All of the stated grounds of rejection have been properly addressed. Applicant therefore respectfully requests that the Examiner reconsider the outstanding rejections. The Examiner is

invited to telephone the undersigned representative if an interview might expedite allowance of this application.

Respectfully submitted,

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